

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JAMES CONTANT, *et al.*,

Plaintiffs,

v.

BANK OF AMERICA
CORPORATION, *et al.*,

Defendants.

Case No. 17-cv-3139-LGS

(related to No. 13-cv-7789-LGS)

ECF CASE

**NOTICE OF PLAINTIFFS' MOTION FOR PRELIMINARY APPROVAL OF
SETTLEMENTS, FOR CERTIFICATIONS OF THE PROPOSED SETTLEMENT
CLASSES FOR SETTLEMENT PURPOSES, FOR APPOINTMENT OF SETTLEMENT
CLASS REPRESENTATIVES, AND FOR APPOINTMENT OF SETTLEMENT
CLASS COUNSEL**

PLEASE TAKE NOTICE that, on a date and at a time to be determined by the Court, at the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York 10007, in the Courtroom of the Honorable Lorna G. Schofield, Plaintiffs will, and hereby do, move this Court, pursuant to Fed. R. Civ. P. 23(e), for an Order:

- (1) Granting preliminary approval of the proposed Settlement Agreement with Citigroup Inc., Citibank, N.A., Citicorp, and Citigroup Global Markets Inc.; and the proposed Settlement Agreement with MUFG Bank, Ltd. (formerly known as The Bank of Tokyo-Mitsubishi UFJ, Ltd.);
- (2) Certifying the proposed Settlement Classes for settlement purposes;
- (3) Appointing Plaintiffs as class representatives of their respective Settlement Classes for settlement purposes;

- (4) Appointing Berger Montague PC as Settlement Class Counsel;
- (5) Approving Plaintiffs' proposed designations of Huntington National Bank as the Escrow Agent and Heffler Claims Group as the Settlement Administrator;
- (6) Setting a schedule for various settlement deadlines set forth in the Settlement Schedule proposed in Paragraph 32 of the Proposed Order submitted with this Motion; and
- (7) Staying all proceedings in the Action with respect to the Settling Defendants until further order of the Court, except as may be necessary to implement the Settlement or comply with the terms thereof.

Submitted herewith in support of this Motion are the following:

- (1) Memorandum in Support of Plaintiffs' Motion for Preliminary Approval of Settlements, for Certifications of the Proposed Settlement Classes for Settlement Purposes, for Appointment of Settlement Class Representatives, and for Appointment of Settlement Class Counsel;
- (2) Declaration of Michael Dell'Angelo in Support of Plaintiffs' Motion for Preliminary Approval of Settlements, for Certifications of the Proposed Settlement Classes for Settlement Purposes, for Appointment of Settlement Class Representatives, and for Appointment of Settlement Class Counsel, and the exhibits thereto; and
- (3) Proposed Order Preliminarily Approving Settlements, Conditionally Certifying the Settlement Classes, and Appointing Settlement Class Representatives and Settlement Class Counsel.

Dated: May 29, 2019

Respectfully submitted,

/s/ Michael Dell'Angelo

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